

PROPOSED LEGISLATION

## An Act

To increase rates of compensation of the Director of Central Intelligence and certain other officials of the Central Intelligence Agency and for other purposes.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES IN CONGRESS ASSEMBLED, That Section 403(a) of title 50 of the United States Code is hereby amended by deleting the figure "\$16,000" and substituting in lieu thereof the figure "\$20,000."

Sec. 2. Section 403(b)(2) of title 50 of the United States Code is amended by deleting the second sentence thereof and substituting the following:

"Any such commissioned officer, while serving in the office of Director, shall receive the pay and allowances authorized by law for the grade of General or equivalent grade. Any such commissioned officer, after having served four years as Director, shall be entitled at his own request and if otherwise qualified, to retirement with the retired pay and allowances authorized by law for the grade of General or equivalent grade."

Sec. 3. Section 403c of title 50 of the United States Code is hereby repealed.

Sec. 4. Section 403e of title 50 of the United States Code is amended to read as follows:

(a) "Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the several States and the District of Columbia, shall grant leave of absence to such officers and employees without regard to any other leave provided by law, for use in the United States, its territories or possessions, at a rate equivalent to one week for each four months of service outside the several States and the District of Columbia. Such leave may be accumulated for future use without regard to Sec. 203(c) of the 'Annual and Sick Leave Act of 1951' (65 Stat. 680) but no such leave which is not used shall be made the basis for any terminal leave or lump sum payment."

(b) "Section 203(d) of the 'Annual and Sick Leave Act of 1951' (65 Stat. 680) shall not apply to such officers and employees assigned to permanent-duty stations outside the several States and District of Columbia."

EXPLANATORY COMMENT

Increases compensation of DCI which was \$14,000 per National Security Act of 1947 and increased to \$16,000 by Executive Pay Bill of October 15, 1949.

Amends Sec. 102(b)(2) of Nat. Sec. Act of '47 to give military man serving as DCI straight pay and allowances of a General and eliminate payment of difference between military pay and stated civilian salary.

Note: Take home pay on \$20,000 based on one dependent and including deduction for retirement, computed under 1951 tax rates amounts to \$14,178, while that of a General is \$14,566.94.

Repeals Sec. 3 (Procurement Authorities) of CIA Act. See discussion below relating to Section 5, this Act.

Repeals Sec. 5 of CIA Act which contains authorizations for travel, allowances and related expenses. See discussion below relating to Section 5, this Act.

The new subsection (a) is to remove inequities with respect to biennial home leave for people on foreign duty, caused by current leave legislation. It embodies provisions which have been granted to Foreign Service personnel.

Subsection (b) limits accumulation of leave to the 60 days as provided for Foreign Service personnel.

Sec. 5. Section 403j(2) of Title 50 of the United States Code is amended to read as follows:

"(2) expenditures authorized by any other law upon determination by the Director that the provisions of such law or laws, and procedures thereunder adapted for necessary Agency purposes, are to be used by the Agency as a standard for such expenditures."

Amends Sec. 10(a)(2) of CIA Act in order to provide for powers originally contemplated under Sections 3 and 5 of the CIA Act. The amendment is made in order to allow the Agency to adopt the authorities of other laws which it deems necessary. The repealed Sections 3 and 5, which were originally intended as authorizations, have now in effect become limitations of a type not contemplated by Congress when the CIA Act was passed. The repeal of Sections 3 and 5 above throws us back upon the broad authorities granted in that Section. This amendment would place CIA in the same situation regarding procurement matters, travel, allowances and related administrative expenditures, as it presently is in the personnel field because of the exemption from the Classification Act of 1949.

Sec. 6. Section 403i of Title 50 of the United States Code is hereby repealed.

Repeals Sec. 9 of CIA Act which provides for three positions in professional or scientific field with ceiling of \$15,000. No longer necessary since we have authority to appoint super grades as necessary.

Sec. 7. The Central Intelligence Agency is hereby exempted from the provisions of the "Performance Rating Act of 1950," (41 Stat. 1996).

Because of security reasons it is impossible to comply with the review and inspection provisions of that Act. The Civil Service Commission has indicated that it will give its support in this matter.

Sec. 8. Section 403 of Title 50 of the United States Code is further amended by the addition of a new subparagraph to read as follows:

"(g)(1) There shall be a Deputy Director of Central Intelligence who shall be appointed by the President by and with the advice and consent of the Senate and who shall receive compensation at the rate of \$17,500 a year. The Deputy Director of Central Intelligence shall perform such duties and exercise such powers as shall be prescribed by the Director of Central Intelligence or by law and shall act for, and exercise the powers of, the Director during his absence or disability."

"(g)(2) In addition to the Deputy Director of Central Intelligence the Director of Central Intelligence is authorized to appoint three Deputy Directors, each of whom shall receive compensation at the rate of \$16,000 a year and who shall perform such duties as the Director may prescribe.

Sec. 9. An officer of the Armed Forces on active duty who is appointed to serve as Director of Central Intelligence, while so serving as Director, shall be excluded from the numbers of Department of Defense Military and Naval Personnel otherwise authorized and appropriated for.

Amends provision of Executive Pay Bill of October 15, 1969 wherein compensation of D/DCI was set at \$14,000.

For security reasons and with particular reference to the identity of the D/DCI, provision for appointment by the President with advice and consent of the Senate is omitted.

Exempts DCI from the so-called "Davis Amendment" (See Sections 608 and 614 of the Department of Defense Appropriation Act, 1953.) limiting total number of officers in certain grades in the various branches of the Armed Forces, to certain percentages of the overall strength.

Sec. 10. All laws or part of laws  
inconsistent with this Act are hereby  
repealed to the extent of such incon-  
sistency.